

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FT. MYERS DIVISION

IN ADMIRALTY

CASE NO.: 2:23-cv-00303

IN THE MATTER OF:

THE COMPLAINT OF RANDAL TOCA
AS OWNER OF THE 1994 70'
HATTERAS M/Y MADAME MUSIQUE,
bearing HIN HATDP4421394 and ON
999308, and its ENGINES, TACKLE,
APPURTENANCES, EQUIPMENT,
ETC., for EXONERATION FROM OR
LIMITATION OF LIABILITY,

Petitioner.

MONITION

TO THE MARSHAL OF THE UNITED STATES OF AMERICA FOR THE UNITED
STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA:

WHEREAS, a Complaint has been filed in the United States District Court
for the Middle District of Florida, Ft. Myers Division, by Petitioner, RANDAL
TOCA ("TOCA"), as Owner of the 1994 70' HATTERAS M/Y MADAME MUSIQUE,
bearing HIN HATDP4421394, its Engines, Tackle, Appurtenances, Equipment, Etc.
(the "Petitioner Vessel" or "MADAME MUSIQUE"), seeking exoneration from, or
limitation of, his liability concerning any and all personal injury, property damage,
destruction or other losses occasioned by or arising out of the alleged incident set
forth in the aforesaid Complaint, for reasons and causes in said Complaint, and
praying that a Monition and Injunction for those reasons be issued, and that all

persons or corporations claiming any and all personal injury, property damage, destruction or other losses, caused by or resulting from the alleged incident set forth in the Complaint be thereby cited to appear and file their respective claims with the Clerk of this Court, and to make due process thereof and citing them to file their answers to the Complaint and all the proceedings be had, if it shall appear that Petitioners are not liable for any personal injury, property damage, destruction or other losses, it may be so finally decreed by this Court; and, WHEREAS, Petitioner has filed herein an *Ad Interim* Stipulation for Costs and Value, representing the value of the Petitioner's interest in the subject Vessel, within fifteen (15) days after the entry of an Order herein appraising the value of the Petitioners' interest in the Vessel, with usual form and with approved surety;

YOU ARE THEREFORE COMMANDED TO CITE PERSONS OR CORPORATIONS, in respect of which the Petitioners seek limitation, to file their respective claims with the Clerk of this Court and to serve on, by mail or email, to the Petitioner's attorneys copies thereof on or before October 16, 2023, and citing such claimants to appear and respond to the Complaint herein on or before October 16, 2023, or within such time as the Court may grant and what you have done in the premises do you then make return to the Court together with this writ.

DONE AND ORDERED in Ft. Myers, Florida on this 15th day of August, 2023.


Kyle C. Dudek
United States Magistrate Judge